



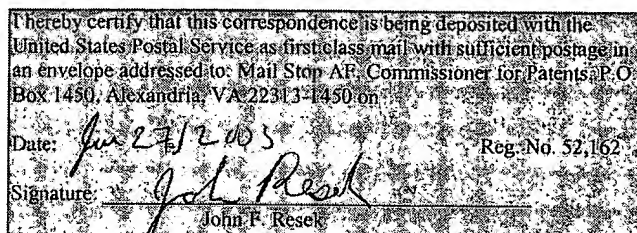
#266  
PATENT  
11411/115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
AUG 25 2003  
TECH CENTER 1600/2500

Applicants : Gardiner et al.  
Serial No. : 09/482,688  
Filed : January 13, 2000  
For : Food Supplement for Increasing Lean Muscle Mass and Strength  
Examiner : CHOI, F.  
Art Unit : 1616

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313



**AMENDMENT**

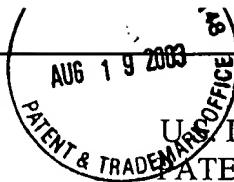
Dear SIR:

This amendment is responsive to the Office Action dated December 31, 2002 in the above-captioned application. The Commissioner is hereby authorized to charge any payment due in connection with these papers, or credit any overpayment, to Deposit Account No. 11-0600.

In the Specification:

At page 1, line 20, immediately below "**SUMMARY OF THE INVENTION**", please add the following two paragraphs:

G<sup>1</sup>  
The present invention provides a method for supplementing the diet of an athlete, comprising administering as part of the diet an effective


 U.S. DEPARTMENT OF COMMERCE  
 PATENT AND TRADEMARK OFFICE

# REQUEST FOR CONTINUED EXAMINATION (RCE)

## TRANSMITTAL FORM (37 C.F.R. § 1.114)

 #25  
 n.n.  
 8/26/03

 DOCKET NO.  
 11411/115

 APPLICATION SERIAL NO.  
 09/482,688

 EXAMINER  
 Choi, F.

 ART UNIT  
 1616

 INVENTOR(S):  
 GARDINER et al.

 RECEIVED  
 AUG 25 2003  
 TECH CENTER 1600/2300

 Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 09/482,688, filed on January 13, 2000, entitled **FOOD SUPPLEMENT FOR INCREASING LEAN MASS AND STRENGTH**.

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

☒ Amendment Under 37 C.F.R. 1.116 - originally mailed July 27, 2003.

☐ Information Disclosure Statement

☐ Drawing Changes

☐ Other Submission: \_\_\_\_\_

08/22/2003 MBIZUNES 00000045 110600 09482688

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1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						750.00
TOTAL CLAIMS	20	20	20	0	18.00	0.00
INDEPENDENT CLAIMS	2	3	3	0	84.00	0.00
MULTIPLE DEPENDENT CLAIM					280.00	
				*Number extra must be zero or larger	TOTAL	750.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.					SMALL ENTITY TOTAL 375.00

2. The Applicants are deemed to be a small entity, therefore they are entitled to small entity status.
3. Please charge the required RCE and submission filing fee of **\$375.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
4. The Commissioner is hereby authorized to charge payment of fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
5. A duplicate of this transmittal form is enclosed.

Respectfully submitted,



John F. Resek, Reg. No. 52,162

Dated: August 19, 2003



26646

PATENT TRADEMARK OFFICE

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New York, New York 10004  
(212) 425-7200 (telephone)  
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